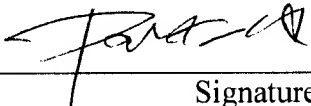


|   |                      |   |  |
|---|----------------------|---|--|
| <b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>  |                      | Docket Number<br>Q61285   |  |
| Mail Stop AF<br>Commissioner for Patents<br>P.O. Box 1450 Alexandria, VA 22313-1450   | Application Number   | Filed   |  |
|   | 09/706,814           | November 7, 2000  |  |
|   | First Named Inventor |   |  |
|   | Kang-wook CHUN       |   |  |
|   | Art Unit             | Examiner  |  |
|   | 2621                 | Jamie J. VENT   |  |
| <p style="text-align: center;">WASHINGTON OFFICE<br/><b>23373</b><br/>CUSTOMER NUMBER</p>   |                      |   |  |
| <p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal</p> <p>The review is requested for the reasons(s) stated on the attached sheet(s).<br/>Note: No more than five (5) pages may be provided.</p> <p><input checked="" type="checkbox"/> I am an attorney or agent of record.</p> <p>Registration number    60,719</p> |                      |   |  |
|   |                      | <br>Signature |  |
|   |                      | <p style="text-align: center;">Seunghee Park<br/>Typed or printed name</p>                        |  |
|   |                      | <p style="text-align: center;">(202) 293-7060<br/>Telephone number</p>                            |  |
|   |                      | <p style="text-align: center;">October 4, 2007<br/>Date</p>                                       |  |

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q61285

Kang-wook CHUN

Appln. No.: 09/706,814

Group Art Unit: 2621

Confirmation No.: 5957

Examiner: Jamie J. VENT

Filed: November 7, 2000

For: APPARATUS FOR STORING AND SEARCHING AUDIO/VIDEO DATA  
CONTAINING ADDITIONAL INFORMATION

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

**MAIL STOP AF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, and further to the Final Office Action dated June 4, 2007 and the Advisory Action dated September 19, 2007, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Turning now to the rejections at issue, Applicant respectfully submits that claim 1 would not have been obvious over Hamada (USP 6,754,347) in view of Blatter et al (USP 5,838,873; "Blatter") in further review of Anderson et al (USP 6,091,772; "Anderson").

In the MPEG standards, audio and/or video (AV) data are transmitted in the form of a transport stream (TS), which comprises TS packets. Each TS packet may be an AV packet (program data packet itself) or a program specific information (PSI) packet containing a Program Association Table (PAT), a Program Map Table (PMT), or so on. As described in the specification, in order to store an AV data for a certain program, a general storage device satisfying the MPEG standard stores an AV packet and corresponding PSI packets together in the form of a single program TS packet (Fig. 1B). Accordingly, a large capacity storage medium is required for storing the PSI packets along with the AV packet.

By contrast, however, the claimed audio/video storing apparatus is characterized in that additional information corresponding to packet identifier (PID) information extracted from a PSI packet is output (produced), and inserted into a particular region of the AV packet (program data itself) instead of storing PSI packets themselves along with the AV packet in the form of a single program TS, whereby the capacity overload of a storage may be reduced. It should be noted, here, that the additional information as recited in the claim is distinguished from a PSI packet and PIDs extracted from the PSI packet.

That being considered, the Examiner's position based on Hamada is not reasonable when alleging that the packet parser as an element of the claimed storing apparatus is disclosed by Fig. 4 and col. 8, lines 4-14 of Hamada.

In Hamada, the DMUX 41 of Fig. 4 might be alleged to extract TS packets such as PSI packets and use PIDs of the PSI packets. However, there is no teaching or suggestion that the DMUX 41 outputs or produces additional information from the "additional information table PSI", and this additional information is for inserting into an AV packet as in the claim. In col. 8, lines 4-14 of Hamada, the additional information is described as indicating PSI itself, which includes a PAT and a PMT, when reciting the "additional information table PSI". Here, the additional information is not described as separate information from the PSI, but the additional information may be only distinguished from the PIDs but not the PSI.

In addition, PSI packets are generally known as inserted into a TS together with a corresponding AV packet as shown in Fig. 1B of the present application. However, the PSI packets are not such data to be inserted into the corresponding AV packet, whereas the claimed additional information is inserted into the AV packet. Thus, the PSI packets again may not correspond to the claimed additional information.

Further, Hamada does not teach the "outputting" the (separate) additional information from the additional information table PSI, while the additional information in the claim is (separately) output by the packet parser for inserting into a (corresponding) AV packet.

The claimed additional information is also not a PID. As generally known in the art, a packet information or PID is a numeric value which identifies the data contained in a TS packet comprising the PID and the data. With respect to PIDs of PSI packets, these PIDs only identify corresponding PSI packets such as a PAT or PMT, but they are not such element as to be

includable in another packet, particularly, an AV packet which also comprises its own PID and program (AV) data. Further, in the claim, the additional information is described as not including the PID, whereby the additional information is clearly distinguished from the PID.

Therefore, Hamada does not teach or suggest the claimed packet parser since the reference fails to disclose the claimed additional information.

For the same reasoning of not disclosing the additional information as claimed, Hamada also fails to teach or suggest the audio/video producer of the claimed storing apparatus as opposed to the Examiner's allegation that "Fig. 6 shows additional information that can be added to the packet parser into a particular region".

Reviewing Fig. 6 and related col. 8, the reference merely explains how a TS packet of a desired channel is extracted, which is only a generally known method to implement the MPEG standards. Specifically, the reference states that PIDs of video packets are obtained from PMTs and those PMTs are identified by their PIDs contained in PAT. The "additional information" recited in col. 8, line 12 of the reference only indicates information included in PSI tables but does not indicate the claimed additional information to be inserted into a particular region of an AV packet. Thus, Hamada fails to teach or suggest the claimed audio/video producer.

The Examiner also alleges that the claimed audio/video producer is disclosed by col. 2, lines 24+ and col. 4, lines 15+ of Blatter (page 2, lines 14-16 of Advisory Action). However, even if Blatter might simply disclose that additional information is inserted into a transport stream (TS), claim 1 recites that the additional information is inserted into a particular region in an AV packet. Here the AV packet should be interpreted as a portion of a TS which includes PSI as well as the AV packet. Thus, Blatter does not teach the inserting the additional information into the "AV packet".

Next, relying on Anderson, the Examiner asserts in the Final Office Action that Anderson teaches the claimed additional information by stating that "Anderson et al teaches the use of additional information that is sent through the MPEG-2 transport layer containing content of the transport stream and thus not containing packet identifier information as described in col. 5, lines 50+" (page 3, last line to page 4, line 3).

Applicant submits that neither the "additional information" (col. 5, line 53) nor the "information" (col. 5, line 55) teaches or suggests the claimed additional information.

As stated in the reference, the “information” defines the content of the stream (col. 4, lines 44-45), but the “information” is contained in the tables such as PAT, PMT, etc. which constitute a PSI packet (col. 4, lines 54-56), but not in the content of the stream (i.e., program data packet). Thus, it is clear that this “information” is not such information which is inserted into an AV packet itself (program data packet containing the content of the stream), and there is no such teaching or even suggestion in the reference.

As to Anderson’s “additional information” (related or unrelated to the corresponding audio/video data), this “additional information” is described as being transported in the form of a transport packet, but there are no comments in the reference whether it is transmitted as a part of an AV packet. Instead, it clearly states that “[t]his additional information is predominantly sent in the MPEG-2 Transport Layer table sections”. Here, the table sections mean the tables of a PSI packet. This statement means that Anderson’s additional information is sent in a PSI packet. As discussed thus far, a PSI packet is clearly not an AV packet as understood throughout the present application including the claims.

Therefore, while Anderson’s “additional information” is contained in a PSI packet, and the claimed additional information is contained in an AV packet, Anderson fails to teach or suggest the claimed additional information.

As mentioned earlier, the present application is characterized in that the capacity overload of a storage may be reduced by outputting and inserting additional information (other than a PID and a PSI packet) into an AV packet. In this respect, the Examiner’s primary reference (Hamada) has no relevance with reducing a storage overload while the reference is only directed to scrambling/descrambling of data and charging subscribers for viewing descrambled data. Blatter, a secondary reference might be related to an aspect similar to that of the present application in that the reference utilizes condensed PSI (CPSI) to reduce a storage overload. Anderson might also be alleged to show some similarity when it suggests reducing of overloaded data transmission by removing unnecessary table sections. However, the aspect of reducing a storage overload is a general motivation in the art leading to design of an efficient AV data transmission/storage/search apparatus. Accordingly, there could be numerous methods and apparatuses to achieve such aspect. In this regard, Blatter or Anderson may be only one of solutions for reducing an overload of data transmission. However, these references use

completely different methods from the present application, and their specific objectives of the inventions are also different to that of the present application. More importantly, no references teach or suggest an apparatus or method in which additional information other than PID and a PSI packet is output and inserted into an AV packet in order to reduce the storage overload. Since such a specific element of the claim is not taught or suggested by any reference, there could not have been any motivation or desirability to combine the references to implement such specific apparatuses and methods as claimed.

Therefore, Applicant respectfully submits that at least for the above reasons, claims 1, 10 and 15 would not have been obvious over the references. Dependent claims 2, 5, 9, 14 and 16 should be allowable at least by virtue of their dependency from claim 1, 10 or 15.

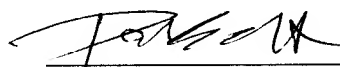
With respect to claim 3, the Examiner reiterates his pervious rationale to reject the claim over Hamada in view of Blatter in further review of Anderson in further view of Oishi et al (U.S. 6,779,195) without finding the claimed time data table (TDT) parser from any of the references.

As recited in the claim, the additional information is output from each of the EIT, SDT and TDT parsers, and this additional information is distinguished from the event information table (EIT), service description table (SDT) or TDT packet itself. In this respect, no references, taken alone or in combination, teach or suggest that the EIT, SDT or TDT parser outputs the additional information other than the respective EIT, SDT or TDT packet itself.

Therefore, Applicant respectfully submits that claim 3 would not have been obvious over the references. Claim 3 and dependent claims 4, 6-8 and 11-13 should also be allowable at least by virtue of their dependency from claim 1, 10 or 15.

Accordingly, Applicant respectfully requests the pre-appeal brief conference panel to withdraw the outstanding claim rejections in view of the above analysis.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 4, 2007